

22/00478/FUM

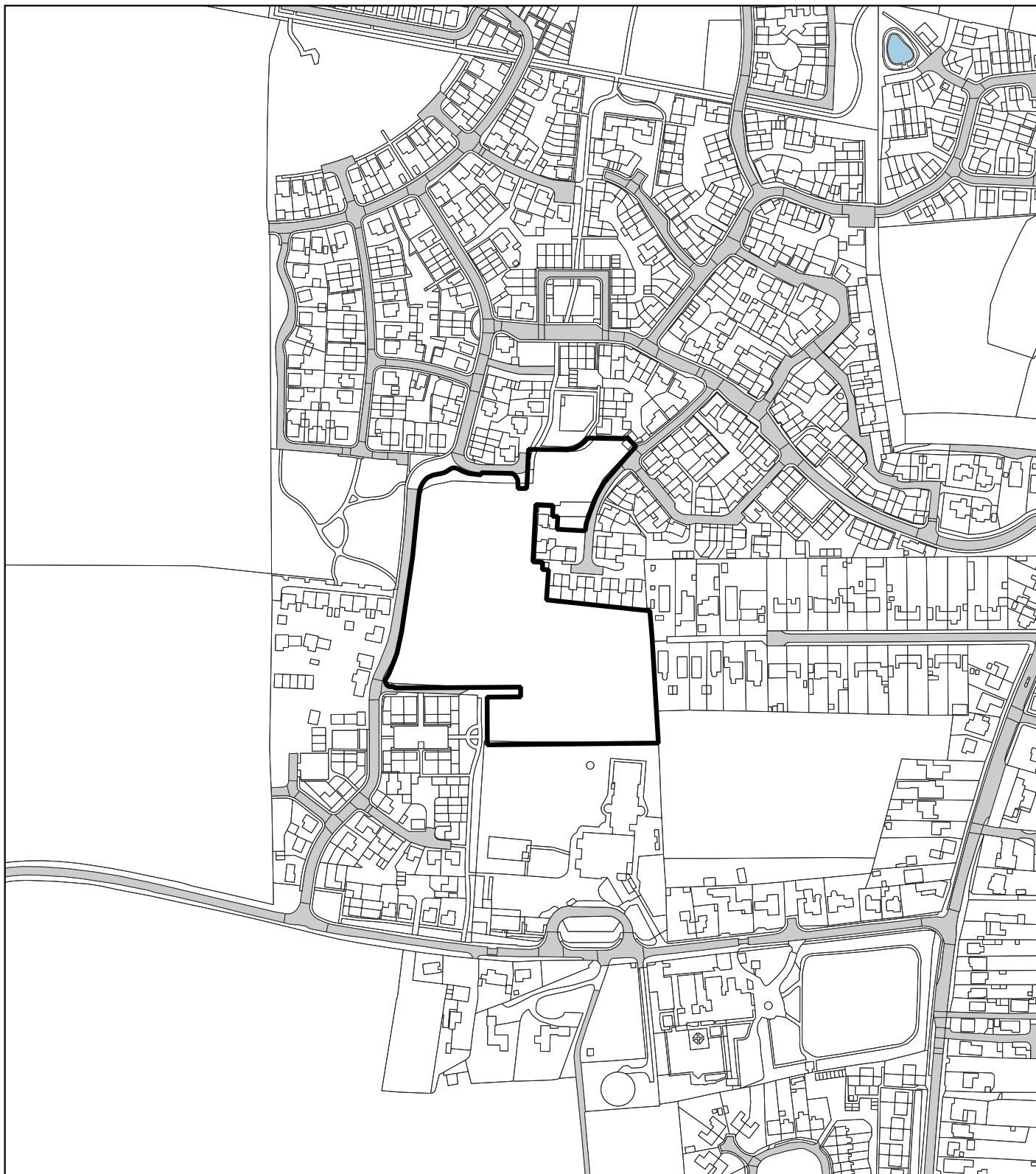
Phase 4C
Land At Highfield Farm
Ely Road
Littleport
Cambridgeshire

Construction of 77 residential dwellings (Replacing 77 previously approved house types)

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RAN6T8GGFUV00>





22/00478/FUM

Phase 4C
Land at Highfield Farm
Ely Road
Littleport



East Cambridgeshire
District Council

Date: 16/01/2023
Scale: 1:4,000



© Crown copyright.
All rights reserved 100023279 (2022)

22/00478/FUM Committee Report

Reference No: 22/00478/FUM

Proposal: Construction of 77 residential dwellings (Replacing 77 previously approved house types)

Site Address: Phase 4C Land At Highfield Farm Ely Road Littleport
Cambridgeshire

Applicant: Cannon Kirk (UK) Ltd.

Case Officer: Richard Fitzjohn (Planning Contractor)

Parish: Littleport

Ward: Littleport
Ward Councillor/s: Christine Ambrose-Smith
David Ambrose-Smith
Jo Webber

Date Received: 12 May 2022 **Expiry Date:** 3rd February 2023
Report Number X146

1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE the application subject to the signing of the S106 Unilateral Undertaking, the Applicant agreeing to any necessary extensions to the statutory determination period to enable completion of the S106 Unilateral Undertaking and the draft conditions below, with authority delegated to the Planning Manager and the Director Legal to complete the S106 Unilateral Undertaking and to issue the planning permission. The recommended planning conditions can be read in full within Appendix 1.

1. Approved Plans
2. Time Limit
3. Unexpected contamination
4. Biodiversity mitigation
5. Biodiversity improvements
6. External materials
7. Cycle storage
8. Construction Environmental Management Plan
9. Construction and delivery times
10. Management and maintenance of proposed streets
11. Access and hardstanding drainage
12. Road, footway and cycleway surfacing
13. Visibility splays
14. Detailed surface water drainage scheme

- 15. Measures to avoid surface water run-off from the site during construction
- 16. Survey and report for surface water drainage system
- 17. Fire hydrants or alternative scheme of water supply
- 18. Welcome Travel Packs
- 19. Soft landscaping
- 20. Bin Stores
- 21. Energy sustainability scheme
- 22. Piling

1.2 In the event that the Applicant does not agree any necessary extensions to the statutory determination period to enable the completion of the S106 Unilateral Undertaking, Members are recommended to delegate authority to the Planning Manager to refuse planning permission on the basis of the absence of a necessary S106 Unilateral Undertaking.

2.0 SUMMARY OF APPLICATION

2.1 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council’s Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

2.2 The application comprises an amendment to the approved layout and house types for 77 dwellings on Phase 4C of the Highfields Farm development, which was granted outline planning permission for 650 dwellings by 98/00426/OUT and reserved matters approval by 02/00950/RMA. A substantial number of dwellings within other phases of the approved development have already been built and are occupied.

2.3 The proposed amendments to the approved house types would result in the following changes to the approved housing mix:

No of Beds	Approved No Units	Proposed No unite	+/- No beds
2	0	11	+11
3	24	35	+11
4	20	28	+8
5	25	3	-22
6	8	0	-8
Total	77	77	N/A

3.0 PLANNING HISTORY

- 3.1
- | | | | |
|--------------|--|----------|------------|
| 98/00426/OUT | Residential development (650 houses) incorporating details of access arrangements. | Approved | 01.10.1999 |
| 02/00950/RMA | Residential development (of 650 houses) | Approved | 30.04.2004 |

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site comprises Phase 4C of the wider Highfields Farm development area which is located to the east of the A10 on the settlement edge of Littleport. The application site benefits from planning permission for 77 dwellings, which forms part of a phased development of 650 dwellings across the wider Highfield Farm site (approved by outline planning permission 98/00426/OUT and reserved matters approval by 02/00950/RMA. A substantial number of dwellings within other phases of the approved development have already been built and are occupied.

4.2 The environment surrounding the site is therefore still in transition from scrub land to housing, with some of the dwellings now being occupied.

4.3 Access into the site would be achieved via Grange Lane and Highfield Drive.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees, summarised below. The full responses are available on the Council's web site.

Littleport Town Council

No concerns.

Ward Councillors

No comments received.

Lead Local Flood Authority

No objection in principle.

The application demonstrates that surface water from the proposed houses can be managed through discharge into an existing surface water system within the road that was designed to take flows from Phase 4C of the development. Rainwater from the car parking spaces, footpaths, and roads will discharge into the adoptable surface water system in the road, via trapped gullies and linear drains. Surface water will then discharge into a existing lagoon in order to provide sufficient levels of treatment prior to discharge from the development.

Water quality has been adequately addressed.

Request conditions requiring the following:

- A detailed design of the surface water drainage of the site to be submitted to, and agreed by, the Local Planning Authority.
- Details of measures indicating how additional surface water run-off from the site will be avoided during construction works to be submitted to, and agreed by, the Local Planning Authority.

- A survey and report demonstrating that the surface water drainage system has been constructed in accordance with the approved details, completed by an independent surveyor, to be submitted to, and agreed by, the Local Planning Authority. Where necessary, details of corrective works to be carried out, along with a timetable for their completion, are to be included. Any corrective works to be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings to be submitted to, and agreed by, the Local Planning Authority.

Recommend informatives relating to Ordinary Watercourse Consent and pollution control.

The Ely Group Of Internal Drainage Board

The development is within the Littleport and Downham Internal Drainage District.

Phase 4C is an area within the overall development that was part of the original outline, and subsequent reserves matters application, which included the attenuation facility adjacent to Woodfen Road, and which in-turn discharges to the Catchwater Drain. The discharge rate into the Catchwater Drain being agreed as part of the reserved matters application. The attenuation facility including an allowance for the area, Area 4C, that is the subject of the current application. The current application includes an FRA and Drainage Report which confirms the above, with the drainage proposals showing the surface water drains connecting to the existing drains, and in turn, discharging to the attenuation facility.

The drainage report also makes reference to the attenuation facility being transferred to Anglian Water as part of a S104 Agreement. However, in their consultation response, Anglian Water state that the proposals for disposal of surface water from this area do not relate to Anglian Water operated assets, which would seem not to be in agreement with the suggestion that the attenuation facility to which the surface water is discharged is maintained by Anglian Water.

Taking the above into account, there are considered to be no matters that have an adverse impact on the Board, the discharge rate etc. being previously agreed as noted. This is subject to confirmation that Anglian Water will be adopting the sewers within Area 4C and that they accept the flow from the surface water sewers into their asset, the attenuation facility adjacent to Woodfen Road.

The Board holds documentation that shows that Anglian Water has adopted the balancing lagoon. We are concerned with the condition and maintenance plan for the lagoon, as it appears that no maintenance has been undertaken for some time. The lagoon overflowed into our Catchwater system in 2020, resulting in flooding downstream. Therefore, until the management and maintenance of the lagoon is improved, the Board must OBJECT to this development.

The Board objects to the development proposals due to the management/maintenance of the attenuation lagoon, into which the proposed development site discharges, being unsatisfactory and being the cause of flooding into the Board's District in 2020.

Environmental Health

Accepts the findings of the Phase II Geo-Environmental Site Investigation Report. Recommends that a condition requiring further site investigation, etc. is not required. Recommends a condition for investigation and remediation of any unexpected contamination, due to the proposed sensitive end use (residential).

Due to the proposed number of dwellings and the close proximity of existing properties, advise that construction times and deliveries during the construction phase are restricted to the following:

- 07:30 - 18:00 each day Monday - Friday
- 07:30 - 13:00 on Saturdays and
- None on Sundays or Bank Holidays

Recommend a condition requiring a Construction Environmental Management Plan, providing mitigation measures for the control of pollution during the construction phase, be appended to any grant of planning permission.

If it is necessary to undertake ground piling, request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. If the method of piling involves impact driving, requests a commitment to the following restricted hours specifically for piling:- 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

If there is no intention to utilise ground piling, requests this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

No other comments to make, but requests environmental notes [providing information about statutory nuisances] are sent out [to the applicant].

Cambridgeshire Fire And Rescue Service

Requests that adequate provision be made for fire hydrants, by way of a Section 106 agreement or a planning condition.

ECDC Trees Team

The revised soft landscaping scheme is acceptable please condition its compliance.

Housing Section

The Strategic Housing Team has no comment to make with regards to the above application as this is specific to Phase 4C Highfields Farm, Littleport and both the Planning Statement and Design and Access Statement indicate that no affordable housing will be delivered on this phase and has been secured on alternative phases.

Design Out Crime Officers

- The proposed layout appears to be acceptable in relation to crime prevention and the fear of crime, providing reasonable levels of natural surveillance from neighbouring properties.
- External lighting - Recommend all adopted and un-adopted roads, private roads, shared drives, footpaths and parking areas/courts, are lit with columns to BS5489:1 2020 for the safety of the residents/visitors. Care should be taken in relation to the location of lighting columns as they can be used as a climbing aid to gain entry into properties if positioned too close to the fence/wall. Home security lights to the front and rear of the properties should be dusk to dawn LED bulkhead lights. Requests to see the lighting plan, when available. Bollard lighting should be used as wayfinding only and not as a main source of lighting.
- Cycle storage sheds – If cycle storage is to be provided within sheds, recommends they are located in accessible locations in rear gardens and provided with a ground anchor fixed to a concrete sub-base to allow the resident to secure their bike/s. Also recommend a solid secure, gold rated hasp and lock for shed doors.
- Landscaping - Consideration should be given to the planting of trees too close to fencing as they can also act as a climbing aid to gain entry to rear gardens. It is also important to ensure that there is a management plan in place to ensure tree crowns are maintained and raised above 2m in height and ground planting and hedging is kept to a minimum of 1-1.2m in height, this will allow for ongoing natural surveillance across the development, open spaces and footpaths and to reduce possible conflict with lighting.
- Shared access footpaths - There is a footpath to the rear of plots 151, 157, 194, 251 & 247. Request a gate be positioned as close to the front building line as possible (or connected to another fence) to reduce the risk of burglary. Any shared gates should be fitted with self-closers, and private gates are fitted with self-closers and lockable from both sides.
- Parking - There are many parking bays that are in curtilage. However, there are plots that do not allow the residents to see their own vehicle, such as; plots 152 - 156, 158 & 255 - 259. For these properties, recommends the fence is lowered to 1.5m with 300mm of trellis to improve the natural surveillance.

Local Highways Authority

The site layout as shown on the drawing 121 Revision 05 is acceptable. While it does not fully align with current standards, it is a notable improvement on the layout which already has consent on the site.

While no vehicle tracking has been provided, based on the annotated geometries, is comfortable that the site can be serviced by refuse and emergency vehicles where appropriate.

Should the applicant wish for the roads to be considered for adoption, they will need to ensure that private driveway water does not discharge onto the adoptable highway. Permeable paving is proposed for private driveway but this is not accepted in isolation by the LHA.

Requests the following conditions are appended to any grant of planning permission:

- Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 121 Revision 05 in writing by the Local Planning Authority.
- Prior to the occupation of a dwelling visibility splays as shown on drawing 121 Revision 05 shall be provided for that dwelling. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.
- No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

East of England Ambulance Service NHS Trust (EEAST)

The proposed development of agricultural land will put increasing pressure and demand on EEAST providing nationally set response times for ambulance emergency services around the geographical area associated with the proposed application site. EEAST does not have the capacity to meet the additional growth resulting from this development and cumulative development growth in the area. This development is likely to increase demand upon existing constrained ambulance services and blue light response times. The development will give rise to a need for additional emergency and non-emergency healthcare provision to mitigate impacts arising from this development and other proposed developments in the local area. Seeks a developer contribution of £21,830, to form a proportion of the required funding for the provision of capacity to absorb the patient growth and demand generated by this development.

Request clear lines of sight are retained close to properties and walkways to support the reduction and fear of crime whilst also minimising the impact of artificial light.

Request the developers support the Vision Zero/Safe System approach to design out road accidents for vehicle occupants, motorcyclists, bicyclists and pedestrians by utilising clear lines of sight, use of appropriate street/road lighting, use the of

village gateways on approach to the junctions/roundabout and other opportunities to support speed reduction.

Request the developer ensures cycle parking should allow for different types of cycles to be stored (e.g. trike), covered, secure and well lit.

Anglian Water Services Ltd

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

Wastewater treatment:

The foul drainage from this development is in the catchment of Littleport Water Recycling Centre that will have available capacity for these flows.

Used Water Network:

The sewerage system at present has available capacity for these flows.

Surface water disposal:

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Environment Agency

No comments to make.

Waste Strategy (ECDC)

No comments received.

Cambs Wildlife Trust

No comments received.

Minerals And Waste Development Control Team

No comments received.

NHS England

No comments received.

Cambridgeshire County Council Education

No comments received.

CCC Growth & Development

No comments received.

5.2 A site notice was displayed near the site on 20th May 2022 and a press advert was published in the Cambridge Evening News on 26th May 2022.

5.3 Neighbours – 83 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council’s website.

- Concerns regarding access to the proposed development through Millfield Road.
- Residential amenity impacts, including loss of privacy and noise.
- Biodiversity impacts.
- Trees impacts.
- Highway safety and traffic impacts.
- Flood risk impacts.
- Density of development.
- Lack of nearby commercial amenities.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
Flood and Water
Natural Environment SPD
Climate Change SPD

6.3 National Planning Policy Framework 2021

2 Achieving sustainable development

- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 6 Building a strong competitive economy
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The mains considerations relevant to the determination of this application are the principle of development, housing mix, affordable housing provision, visual amenity, residential amenity, highway safety and parking provision, flood risk and drainage, and biodiversity.

7.2 **Principle of development**

7.3 The principle of development for 77 dwellings on the site has been established by extant planning permission ref: 98/00426/OUT and reserved matters approval ref: 02/00950/RMA.

7.4 **Housing mix**

7.5 Policy HOU1 of the Local Plan requires housing developments of 10 or more dwellings to provide an appropriate mix of dwelling types and sizes that contribute to current and future housing needs.

7.6 The proposed house types would result in the following changes to the previously approved housing mix:

No of Beds	Approved No Units	Proposed No units	+/- No beds
2	0	11	+11
3	24	35	+11
4	20	28	+8
5	25	3	-22
6	8	0	-8
Total	77	77	N/A

7.7 The proposed housing mix would therefore increase the amount of smaller dwelling sizes and reduce the amount of larger dwelling sizes, in comparison to the previously approved development, resulting in an overall reduction of 70 bedrooms across Phase 4C.

- 7.8 The proposed housing mix would provide a better mix of smaller dwelling sizes, in comparison to the previously approved development, providing an appropriate mix that contributes to current and future housing needs.
- 7.9 It is therefore considered that the housing mix is acceptable, in accordance with policy HOU 1 of the Local Plan.
- 7.10 **Affordable housing provision**
- 7.11 Policy HOU 3 of the Local Plan requires all new open market housing developments of 10+ dwellings to make appropriate provision for an element of affordable housing.
- 7.12 The original planning permission for 650 dwellings did not include any affordable housing provision within Phase 4C. Affordable housing provision requirements, for 78No. dwellings or not less than 12% of the total number of dwellings (whichever is the lesser), have been secured within other phases of the original planning permission for the wider site. The proposed development therefore does not require provision of any affordable housing. Even though this a full planning application and all material factors can be considered afresh it is necessary to consider the 'fall back' position in relation to this matter. The genuine 'fall back' position here is that the applicant can still legally implement this phase of development by building out the reserved matters approval scheme for 77 dwellings on this site (albeit with a different housing mix) so to impose a new affordable housing requirement on an alternative but very similar housing mix of 77 dwellings proposed within this planning application is undermined by the need in planning law to consider a genuine fall back position. If the scheme was for 77 new dwellings outside the confines of the original permission it would of course be legitimate to require a new element of affordable housing within such a scheme.
- 7.13 It is therefore considered that an appropriate provision of affordable housing has already been secured for the wider development of 650 dwellings, in accordance with policy HOU 3 of the Local Plan.
- 7.14 **Visual amenity**
- 7.15 Policy ENV 1 of the Local Plan requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV 2 of the Local Plan requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas.
- 7.16 In considering the visual amenity impacts of the proposal, consideration must be given to its visual relationship and context with the prevailing character of the wider Highfield Farm development which it forms part of.
- 7.17 The proposed development has a density of approximately 32 dwellings per hectare and does not result in a higher density than the extant planning permission on the site. The proposed layout follows the general principles of the layout approved by the extant planning permission on the site, including the retention of a small area of open space adjacent to the eastern boundary of the site. The proposal reduces the

amount of shared parking courtyards and provides more on-plot car parking spaces, which results in a layout which is of a higher quality and is less parking dominated. The proposed house types are of a similar height, scale and design to dwellings on other phases of the wider residential development.

- 7.18 The proposed external wall materials comprise a complementary mix of buff brick, red brick and render; and the proposed roof materials comprise red and grey tiles; similar to the materials used on other phases of the wider Highfield Farm development. It is considered necessary to append a planning condition requiring specific details of the external materials to be submitted to, and agreed by the Local Planning Authority, in the interests of ensuring the materials are of a suitable quality and are sympathetic to the character and appearance of the surrounding area.
- 7.19 The Design and Access Statement includes details of proposed boundary treatments, which indicates a combination of 1.8 metre high masonry walls and timber fences. Masonry walls are indicated for the most prominently visible boundaries adjacent to the highway. It is considered necessary to append a planning condition requiring specific details of the external materials to be submitted to, and agreed by the Local Planning Authority, in the interests of ensuring the materials are of a suitable quality and are sympathetic to the character and appearance of the surrounding area.
- 7.20 It is therefore considered that the appearance, layout and scale of the proposal is acceptable and would be in keeping with the prevailing character and appearance of the area, in accordance with policies ENV 1 and ENV 2 of the Local Plan and guidance contained within the Council's Design Guide SPD.
- 7.21 **Residential amenity**
- 7.22 The proposed development provides acceptable window separation distances between existing and proposed dwellings, in broad accordance with guidance contained within the Council's Design Guide SPD, preventing any significant overlooking impacts between properties.
- 7.23 The proposed development also provides acceptable garden sizes, in broad accordance with guidance contained within the Council's Design Guide SPD, ensuring an acceptable standard of outdoor amenity space across the development.
- 7.24 The proposed window separation distances and garden sizes are also broadly consistent with those details approved by the extant planning permission on the site.
- 7.25 The proposed layout provides a satisfactory physical relationship between the dwellings which ensures there are no significant overbearing, overshadowing or overlooking impacts.
- 7.26 Concerns have been raised by nearby residents regarding loss of privacy and noise impacts, although these concerns appear to stem from incorrect information being provided within the original Transport Statement which referenced an access to the proposed development through Millfield Road. A revised Transport Statement was

received during the course of the application which removed this reference and the proposed plans do not show any access through Millfield Road.

7.27 With consideration given to the proposal accommodating the same number of dwellings and a lower number of bedrooms than that of the extant planning permission, it is considered that the proposed development would not result in any significant additional impacts on the residential amenity of properties along Millfield Road, beyond that which would result from the extant planning permission.

7.28 It is therefore considered that the proposed development would have acceptable residential amenity impacts, in accordance with policy ENV 2 of the Local Plan and in broad accordance with guidance contained within the Council's Design Guide SPD.

7.29 Highway safety and parking provision

7.30 Policy COM 7 of the Local Plan requires development proposals to provide a safe and convenient access to the highway network for all users, and be capable of accommodating the level and type of traffic generated by the proposal.

In comparison to the extant planning permission on the site, the proposal would accommodate the same number of dwellings and a lower number of bedrooms. It is therefore considered that the proposal is capable of accommodating the level and type of traffic generated by the proposal, as it is likely to generate less traffic than that which would be generated by the extant planning permission.

7.31 The Local Highway Authority has stated that the proposed layout is acceptable and, whilst it does not fully align with current standards, it is a notable improvement on the layout which already has consent on the site. The Local Highway Authority are also satisfied that the site can be appropriately serviced by refuse and emergency vehicles. The Local Highway Authority has not provided details regarding which aspects of the proposed layout do not align with current standards. However, on the basis that the Local Highway Authority consider it to be acceptable, and an improvement to the layout which could be constructed under the extant planning permission, it is considered that the proposed layout is acceptable. On the basis of the proposed layout and the Local Highway Authority's recommendation, it is considered that the proposal provides a safe and convenient access to the highway network for all users.

7.32 The Local Highway Authority requests that conditions are appended to any grant of planning permission requiring:- appropriate surfacing of roads/footways/cycleways prior to occupation of the dwellings; provision of visibility splays in accordance with the approved plans; and approval from the LPA of arrangements for future management and maintenance of the proposed streets. With consideration given to the Local Highway Authority's consultation comments, it is considered necessary to append the requested conditions to any grant of planning permission.

7.33 Policy COM 8 of the Local Plan requires that new development provides adequate levels of car parking provision, in accordance with the Council's adopted parking standards. The Council's adopted parking standards specify a requirement for 2 car parking spaces per dwelling (average per development) and up to 1 visitor space

per 4 dwellings. In respect of the proposed development, this equates to a requirement for 154 car parking spaces per dwelling and up to 19 visitor parking spaces.

- 7.34 The proposal contains 175 external car parking spaces per dwelling. In addition, the proposal includes garages for 52 of the proposed 77 dwellings, which provides 63 additional car parking spaces. This equates to an average across the development of approximately 3 car parking spaces per dwelling, exceeding the requirements of the Council's parking standards.
- 7.35 The proposal also contains 10 visitor car parking spaces, which is 9 visitor spaces short of the Council's parking standards. However, this shortfall in visitor parking provision is compensated by the overall level of car parking provision across the development which reduces the need for visitor parking spaces.
- 7.36 39 of the proposed 77 dwellings would be served by tandem parking arrangements. Whilst tandem parking is not favoured by the Council, the provision of tandem parking would apply to only approximately 50% of the dwellings and there is no adopted policy or guidance that excludes the provision of tandem parking. In comparison to the extant planning permission on the site, the proposed layout reduces the amount of shared parking courtyards and provides a greater quantity of on-plot car parking, resulting in a layout which is of a higher quality and is less parking dominated.
- 7.37 It is therefore considered that the proposal provides acceptable highway impacts, in accordance with policy COM 7 of the Local Plan; and an acceptable level of car parking provision across the development overall, despite the conflict with policy COM 8 of the Local Plan in terms of visitor parking provision which is considered to be limited.
- 7.38 Flood risk and drainage**
- 7.39 The application site is located within Flood Zone 1, where the principle of residential development is acceptable in flood risk terms.
- 7.40 The application is accompanied by a Flood Risk Assessment which does not identify any significant flood risks associated with the proposal.
- 7.41 The application demonstrates that surface water from the proposed houses can be managed through discharge into an existing surface water system within the road that was designed to take flows from Phase 4C of the development. Rainwater from the car parking spaces, footpaths, and roads will discharge into the adoptable surface water system in the road, via trapped gullies and linear drains. Surface water will then discharge into an existing lagoon in order to provide sufficient levels of treatment prior to discharge from the development.
- 7.42 The Lead Local Flood Authority (LLFA) has reviewed the application and has no objection in principle to the proposed development. The LLFA also states that water quality has been adequately addressed within the application.

- 7.43 The LLFA request conditions requiring the following:
- A detailed design of the surface water drainage of the site to be submitted to, and agreed by, the Local Planning Authority.
 - Details of measures indicating how additional surface water run-off from the site will be avoided during construction works to be submitted to, and agreed by, the Local Planning Authority.
 - A survey and report demonstrating that the surface water drainage system has been constructed in accordance with the approved details, completed by an independent surveyor, to be submitted to, and agreed by, the Local Planning Authority. Where necessary, details of corrective works to be carried out, along with a timetable for their completion, are to be included. Any corrective works to be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings to be submitted to, and agreed by, the Local Planning Authority.
- 7.44 On the basis of the LLFA's recommendation, it is considered necessary to append the recommended conditions to ensure that the proposal has acceptable drainage impacts. Subject to these conditions, it is considered that the proposal would have acceptable drainage impacts, in accordance with policy ENV 8 of the Local Plan.
- 7.45 **Biodiversity**
- 7.46 The application is accompanied by a Preliminary Ecological Appraisal (PEA) and a Biodiversity Mitigation Plan (BMP).
- 7.47 The application site is not subject to any statutory or non-statutory nature conservation designations, and the PEA states that the proposal is unlikely to affect any nature conservation designations due to its separation distance.
- 7.48 The PEA states that the application site contains habitat suitable for foraging and commuting bats, breeding birds and foraging hedgehog; though as these are largely common and widespread habitats the PEA does not identify any particular constraints in respect of the proposal. The PEA and BMP provide details of the baseline biodiversity conditions of the application site and recommendations for appropriate biodiversity mitigation, compensation and enhancement. It is considered necessary to append planning conditions to ensure the recommended biodiversity mitigation measures are complied with, and to secure a detailed scheme of biodiversity enhancements.
- 7.49 The proposed development would not result in the loss of any existing trees. The application is accompanied by a detailed soft landscaping scheme which, in consultation with the Council's Trees Officer, is considered to be acceptable and can be secured by a planning condition.
- 7.50 Subject to conditions, it is therefore considered that the proposed development would protect and enhance biodiversity, and would provide an appropriate level of new landscaping, in accordance with policy ENV 7 of the Local Plan and relevant guidance contained within the Council's Natural Environment SPD.

7.51 **Other matters**

7.52 Contamination – The Council’s Environmental Health Scientific Officer accepts the findings of the Phase II Geo-Environmental Site Investigation Report accompanying the planning application, and recommends that a condition requiring further site investigation is not required. The Scientific Officer recommends a condition for investigation and remediation of any unexpected contamination, if found during development. Due to the proposed sensitive end use (residential), it is considered necessary to append this recommended condition.

7.53 Energy sustainability – Policy ENV 4 of the Local Plan states that all proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable. The application is accompanied by an Energy Statement which confirms that the proposal can provide suitable energy sustainability measures to ensure compliance with policy ENV 4 of the Local Plan and guidance contained within the Council’s Climate Change SPD. However, it is considered necessary to append a condition requiring a detailed scheme of specific energy sustainability measures to be agreed by the Local Planning Authority, in order to ensure compliance with policy ENV 4 of the Local Plan and guidance contained within the Council’s Climate Change SPD.

7.54 Planning obligations – A Unilateral Undertaking is required to ensure that the planning obligations associated with the planning permissions for the wider Highfield Farm development are secured, including the provision of the previously approved Public Open Space within the application site.

7.55 Neighbour representation raising concerns that there is a lack of nearby commercial amenities – A neighbour representation has raised that there is a lack of nearby commercial amenities. However, the proposal is well-connected to Littleport which has a wide-range of commercial amenities and also the principle of 77 dwellings has already been established on the site. Therefore, this is not considered to be an issue which weighs against the application.

7.56 **Conclusion**

7.57 The principle of constructing 77 dwellings on this site has already been established by an extant planning permission; the proposal provides a housing mix which reflects current local housing needs; the design and layout of the proposal are characteristic of other phases of the wider residential development; and the proposal would not result in any significant detrimental impacts in respect of any material planning considerations. The application is therefore recommended for approval, subject to the signing of the S106 Unilateral Undertaking and the planning conditions set out within APPENDIX 1 of this report.

8.0 **COSTS**

8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as

appellant through the appeal process) then a cost award can be made against the Council.

8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.

8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

8.4 In this case members' attention is particularly drawn to the following points:

- There is already an extant planning permission for 77 dwellings on the site, approved by outline planning permission 98/00426/OUT and reserved matters approval 02/00950/RMA.
- As the principle of 77 dwellings on this site has already been established, it would be unreasonable for the Local Planning Authority to require the developer to pay the contribution of £21,830, requested by EEAST, towards the provision of capacity to absorb the patient growth and demand generated by the proposed development.
- There are no other issues raised by consultees that cannot be satisfied by planning conditions.

9.0 APPENDICES

APPENDIX 1 – 22/00478/FUM Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
22/00478/FUM	Richard Fitzjohn	Richard Fitzjohn
98/00426/OUT	Room No. 011	Planning Contractor
02/00950/RMA	The Grange	01353 665555
	Ely	richard.fitzjohn@eastcambs.gov.uk

National Planning Policy Framework -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -
<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 22/00478/FUM Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
Biodiversity Mitigation Plan	V2.0	20th April 2022
Energy Statement		20th April 2022
200074-PEV-N1-EL-DR-A-3100	P02	12th May 2022
200074-PEV-N1-00-DR-A-3000	P02	12th May 2022
190344-PEV-C-ZZ-DR-A-3000	P01	12th May 2022
190344-PEV-F-ZZ-DR-A-3100	P01	12th May 2022
190344-PEV-F-ZZ-DR-A-3000	P01	12th May 2022
010417-PEV-XX-00-DR-L-0601	P06	21st November 2022
010417-PEV-XX-00-DR-L-0602	P07	21st November 2022
121	05	21st November 2022
Preliminary Ecological Appraisal		20th April 2022
010417-PEV-XX-00-DR-L-0603	P01	20th April 2022
200074-PEV-XX-ZZ-DR-A-3100	P02 House Type 2.3	20th April 2022
200074-PEV-XX-ZZ-DR-A-3100	P02 House Type 2.4	20th April 2022
171534-PEV-DG-00-DR-A-9100	P02	20th April 2022
171534-PEV-SG-00-DR-A-9100	P02	20th April 2022
171534-PEV-SG-00-DR-A-9101	P02	20th April 2022
171534-PEV-DG-00-DR-A-9102	P02	20th April 2022
P18-1108_400 Sheet No: 001	House Type D	20th April 2022
P21-1534_02		20th April 2022
P18-1108_400 Sheet No: 001	House Type H	20th April 2022
P18-1108_400 Sheet No: 001	House Type B	20th April 2022
P18-1108_400 Sheet No: 001	House Type A	20th April 2022
171534-PEV-DG-00-DR-A-9101		20th April 2022
200074-PEV-XX-ZZ-DR-A-3100	P02 House Type 3.0	20th April 2022
Drainage Statement	03	22nd July 2022

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 2 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 4 The biodiversity mitigations measures outlined in the Biodiversity Mitigation Plan V2.0, prepared by Temple Group Ltd and dated 29/03/22, shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 4 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD 2020.
- 5 Prior to first occupation of the hereby approved development, a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 5 To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD 2020.
- 6 No above ground construction shall take place on site until details of the external surfaces, including bricks, stone, roof covering, doors, windows, rainwater goods to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 6 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 No above ground construction shall commence until details of the cycle stores have been submitted to and agreed in writing with the Local Planning Authority. The cycle stores shall be in situ in accordance with the approved details prior to the first occupation of the development.
- 7 Reason: In order to encourage future residents to travel using sustainable modes of transport in accordance with Policy COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 9 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 07.30-1800 each day Monday-Friday, 07.30-13.00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 10 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 11 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015
- 12 Prior to the first occupation of any dwelling the roads, footways and cycleways required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 121 Rev 05 in writing by the Local Planning Authority.
- 12 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to occupation of a dwelling, visibility splays, as shown on drawing 121 Rev 05, shall be provided for that dwelling. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.
- 13 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 14 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Civil Engineering – Drainage Statement Rev 03, prepared by Pick Everard and dated July 2022 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Full details of the maintenance/adoption of the surface water drainage system;
- i) Permissions to connect to a receiving watercourse or sewer;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

- 14 Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 15 No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.
- 15 Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 16 Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion,

shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.

- 16 Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development.
- 17 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 17 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 18 Prior to first occupation the form and content of Welcome Travel Packs to be issued to new residents on the first occupation of each new dwelling shall be agreed with the Local Planning Authority. The packs should encourage residents to travel using sustainable modes of transport and shall be provided to new occupiers of the development.
- 18 Reason: In order to encourage future residents to travel using sustainable modes of transport in accordance with Policy COM7 of the East Cambridgeshire Local Plan 2015.
- 19 All soft landscaping works shall be carried out in accordance with drawing no's 010417-PEV-XX-00-DR-L-0601 Rev 06 and 010417-PEV-XX-00-DR-L-0602 Rev 07. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 19 Reason: In order to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 20 No above ground construction shall commence until details of the bin stores have been submitted to and agreed in writing with the Local Planning Authority. The bin stores shall be in situ in accordance with the approved details prior to the occupation of the development.
- 20 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 21 Prior to the commencement of development, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 21 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and the Climate Change SPD. This condition is pre-commencement as some of the measures may be below ground level.
- 22 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 22 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

